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SUBJECT: ELECTION LAW AMENDED TO ADDRESS ECHR CASE

Ref: 2008 Country Report on Human Rights - Latvia

¶1. Latvia has amended its election law to allow former USSR and Latvian State Security Committee (KGB) technical employees to be candidates in parliamentary elections. Any Latvian citizen who had worked in the planning, financing, administrative and economic units of the KGB will now be eligible to be included in candidate lists for the Latvian parliament. These amendments were introduced in line with the ruling of the European Court of Human Rights (ECHR) on a complaint by Janis Adamsons, a former KGB border guard officer whose candidacy for parliament was rejected by the Latvian courts.

¶2. As previously reported in the Human Rights Report on Latvia, Adamsons was barred by the Central Election Commission from running in 2002 (is that right) due to his previous involvement in a Soviet security organization. The ECHR ruled in 2008 that his right to participate in elections had been violated and that the legal provision under which Adamsons was disqualified was too broad. The ECHR noted Adamsons record of public service since Latvian independence in 1991, including several government positions, and noted previous Latvian court recommendations that Latvia allow courts to take into account the individual merit and achievements in the Republic of Latvia of a potential candidate. Rather than allowing individual circumstances into deliberations, the new law simply removes a select group of professions from those not allowed to run, taking a very narrow approach to rectifying the ECHR violation.

ROGERS